



**COURT OF MAGISTRATES (GOZO)
AS A COURT OF CRIMINAL JUDICATURE**

**Magistrate Dr. Joseph Mifsud B.A. (Legal & Int. Rel.),
B.A. (Hons), M.A. (European), LL.D.**

**The Police
(Inspector Bernard Charles Spiteri)**

vs.

William Boakye

Number: 4/2018

Today 28th of February 2018

The Court;

Having seen the charges brought against **William Boakye**, holder of Ghanaian passport number G1575134, aged thirty seven (37) years, son of Achemopng and Agnes nee' Boakye, born in Abuakwa, Uganda on the 7th August 1980, accused with having on the 21st February 2018, at about 17:00hrs and during the previous months with several acts committed by himself, even if at different times, constitute violations of the same provisions of the law, and that are committed in pursuance of the same design, whilst at the Bacchus Winery, at St. Julian's Hospital, Fontana, Gozo or at the Maltese Islands:

1. Committed theft of local currency which amount exceed the sum of two thousand and three hundred and twenty-nine euro

and thirty-seven cents (€2,329.37) to the detriment of Daniel Mercieca and/or to the administration of the Bacchus Winery, which theft is aggravated by amount, person and time;

2. And also with having on the same date, time, place and circumstances in the Maltese Islands knowingly received or purchased any property which has been stolen, misapplied or obtained by any means of any offence, whether committed in Malta or abroad, or shall knowingly take part, in any manner, whatsoever, in the sale or disposal of the same;

Having seen the documents exhibited and all the acts of the proceedings;

Having heard the prosecuting officer declare that the second (2) charge is alternative to the first (1) charge;

Having heard the accused admit to the first (1) charge brought against him which guilty plea was reaffirmed by the accused after having been given sufficient time according to Law to reconsider the same;

Having heard the accused declaring that he feels extremely sorry for what happened and asks for forgiveness;

Having heard the accused admit the first (1) charge brought against him; this is consequently sufficiently proven;

Having heard the *parte civile* Daniel Mercieca declaring that he will be accepting the money which has been deposited in the records of this case amounting to twenty nine thousand, nine hundred and fifty Euros (€29,950) and this in full and final settlement of all claims which the said *parte civile* could have against the accused. The *parte civile* declares that he is receiving the amount of twenty nine thousand, nine hundred and fifty Euros (€29,950) and is presently granting receipt of the amount so received;

Having also heard the *parte civile* Daniel Mercieca declaring that he is forgiving the accused for what he did;

Having heard final oral submissions by the parties as regards the punishment to be inflicted, and all the parties are agreeing to the punishment to be awarded to the accused;

Regarding the penalty to be meted out the Court considered on the one hand the nature of the offence of which the accused is being found guilty, and on the other hand his cooperation with the police his clean criminal record, that the res furtiva has been returned and his admission at an early stage of these proceedings.

In view of the declaration of the Prosecuting Officer that the second (2) charge is alternative to the first, the Court is not taking any further notice of this charge;

Wherefore, the Court, after having seen sections 261(c)(d)(f), 279(b) and 280 of Chapter 9 of the Laws of Malta, on his admission finds the accused guilty of the first (1) charge brought against him and condemns him to two (2) years imprisonment.

The Court orders that a copy of this judgment together with the acts of these proceedings be transmitted to the Attorney General in terms of law.

Dr. Joseph Mifsud
Magistrate